

THURSDAY, MARCH 6, 1986

SEVENTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Jim ManKin, Madison Church of Christ, Madison, Tennessee.

Representative Cobb led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 95

Representatives present were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

The Speaker announced that Representative Brenda Turner was excused because of a death in the family.

The Speaker announced that Representative Bragg was excused because of legislative business.

The Speaker announced that Representative Chiles was excused because of a prior commitment.

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EXPLANATION OF ABSENCE

Dear Mr. Speaker:

This is to request permission to be absent from the legislative session on Thursday, March 6, 1986 so that I may attend a meeting of the Executive Committee of the Council of State Governments in San Francisco, California. I will also be attending a meeting of the Foundation for State Legislatures in San Francisco. This trip will not be a state expense as the National Conference of State Legislatures will be paying for it.

I also request that this letter be spread upon the journal.

John T. Bragg.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 275; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolution No. 275.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1216--To set certain requirements, merging banks;

1526--To regulate investments, certain financial institutions;

1644--To set penalty, certain offenses against certain person;

1746--To regulate Cherohala Commission;

1825--To amend Natural Resources Trust Fund Act; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate

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Joint Resolutions Nos.:

221--Relative to driver education, secondary schools;

283--Relative to congratulating Cordie Rainey Cook; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

CALENDAR

House Bill No. 1393--To make certain provisions, unemployment benefits.

On motion, House Bill No. 1393 was made to conform with Senate Bill No. 1472.

On motion, Senate Bill No. 1472, on same subject, was substituted for House Bill No. 1393.

Ms. Williams moved that Senate Bill No. 1472 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

A motion to reconsider was tabled.

House Bill No. 1359--To amend Title 8, Chapter 34 and 37, Code.

Mr. Rhinehart moved that House Bill No. 1359 be passed on third and final consideration.

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Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1359 by deleting Section 1 in its entirety and substitute the following instead:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 35, Part 2 is amended by adding the following:

() The Douglas - Cherokee Economic Authority shall be eligible to be a participating employer in the Tennessee consolidated retirement system upon (1) passage of a resolution by the Authority's board of directors authorizing an actuarial study; and (2) passage of a resolution by the Authority's board of directors authorizing such participation and accepting the liability as a result of the participation by its full time administrative employees.

() The employees of the Authority shall make the same contributions, participate in the same manner, and shall be eligible for the same benefits as employees of local governments participating in the retirement system under this part.

() The employees shall be entitled to credit for prior service as approved by the board of directors of the Authority under the same provisions which apply to employees of local governments.

() The retirement system shall not be liable for the payment of retirement allowances or other payments on account of employees of the Authority or their beneficiaries for which reserves have not been previously created from funds contributed by the Authority and/or its employees

() It is the legislative intent that the state shall realize no increased cost as a result of this section. All costs associated with retirement coverage, including administrative costs, shall be the responsibility of this Authority.

On motion, the amendment was adopted.

Ms. Patterson moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1359 by adding the following new amendatory Section:

SECTION . Tennessee Code Annotated, Title 8, Chapter 35, Part 2 is amended by adding the following:

() The Upper East Tennessee Human Development Agency shall be eligible to be a participating employer in the Tennessee consolidated retirement system upon (1) passage of a resolution by the Agency's board of directors authorizing an actuarial study; and (2) passage of a resolution by the Agency's board of directors authorizing such participation and accepting the liability as a result of the participation by its full time administrative employees.

() The employees of the Agency shall make the same contributions, participate in the same manner, and shall be eligible for the same benefits as employees of local governments participating in the retirement system under this part.

() The employees shall be entitled to credit for prior service as approved by the board of directors of the Agency under the same provisions which apply to employees of local governments.

() The retirement system shall not be liable for the payment of retirement allowances or other payments on account of employees of the Agency or their beneficiaries for which reserves have not been previously created from funds contributed by the Agency and/or its employees.

() It is the legislative intent that the state shall realize no increased cost as a result of this section. All costs associated with retirement coverage, including administrative costs, shall be the responsibility of the Agency.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1359 by adding the following as a new section:

SECTION . Tennessee Code Annotated, Section 8-36-201 is amended by adding the following as a new section:

() Any state general employee shall be eligible for service retirement upon attainment of age sixty (60) and the establishment of a minimum of seven (7) years of creditable service rendered during twenty (20) years of part-time employment.

On motion, the amendment was adopted.

Mr. Stafford moved to amend as follows:

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AMENDMENT NO. 4

Amend House Bill No. 1359 by adding a new section to be appropriately numbered and to read as follows:

Section __. Tennessee Code Annotated, 8-36-209(b)(3), is amended by deleting the figures '6, 1984' and substituting '4, 1986' and further amend by deleting the words and figures 'four hundred eighty dollars (\$480)' and substituting instead 'six hundred dollars (\$600)'.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1359, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1800--To authorize bond issue, construction of East-West Highway.

Mr. Phillips moved that House Bill No. 1800 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1800 by deleting the words "said highway to provide access through" in Section 4 and substituting instead the words and punctuation "then from the corporate limits of Only, Tennessee, to the corporate limits of New Johnsonville, Tennessee, in Humphreys County, said highway to provide access through Humphreys,".

On motion, the amendment was adopted.

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Thereupon, House Bill No. 1800, as amended, passed its third and final consideration by the following vote:

Ayes	75
Noes	16
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Brewer, Burnett, Byrd, Clark (Davidson), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, Miller, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--75.

Representatives voting no were: Bewley, Frensley, Lawson, McCroskey, McNally, Montgomery, Moody, Nance, Swann, Tankersley, Webb, Whitson and Wolfe--16.

Representative present and not voting was: Cobb--1.

A motion to reconsider was tabled.

Mr. Clark (Sumner) moved that House Bill No. 1413 be placed on the Calendar for Thursday, March 13, 1986, which motion prevailed.

Mr. Clark (Sumner) moved that House Bill No. 1414 be placed on the Calendar for Thursday, March 13, 1986, which motion prevailed.

House Bill No. 1544--To amend Retailers' Sales Tax Act.

Mr. Hillis moved that House Bill No. 1544 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1544 by deleting the Section I in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 6, Part 3, is amended by adding the following new section:

SECTION _____. Notwithstanding any provision of this chapter to the contrary, tax at the rate of one and one-half percent (1 1/2%) shall be imposed with respect to liquified gas, including but not limited to propane and butane, when sold

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to and used by farmers and nurserymen directly in the production of a food or fiber for human or animal consumption or to aid in the growing of a horticultural product for sale.

On motion, the amendment was adopted.

Ms. Robinson (Washington) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1544 by deleting the amendatory language of Section 1 in its entirety and adding the following new amendatory language:

SECTION _____. Notwithstanding any provision of this chapter to the contrary, tax at the rate of one and one-half percent (1 1/2%) shall be imposed with respect to electricity and liquified gas, including but not limited to propane and butane, when sold to or used by farmers and nurserymen directly in the production of food or fiber for human or animal consumption or to aid in the growing of a horticultural product for sale.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1544, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1595--To set fee, licensing of contractors.

Mr. McCroskey moved that House Bill No. 1595 be passed on third and final consideration.

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Mr. Dixon moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1595 by inserting the words "and/or oral" in the amendatory language in Section 1 between the words "written" and "examination".

On motion, the amendment was adopted.

Mr. McCroskey moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1595 by deleting from the directory language of Section 1 the language "Tennessee Code Annotated, Section 62-6-111(2)" and by substituting instead the language "Tennessee Code Annotated, Section 62-6-111(a)(2)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1595, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Bell, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Bewley--1.

A motion to reconsider was tabled.

House Bill No. 1528--To provide group insurance, local education employees.

Mr. Naifeh moved that House Bill No. 1528 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

House Bill No. 1483--To amend Section 7-34-115, Code.

On motion, House Bill No. 1483 was made to conform with Senate Bill No. 1424.

On motion, Senate Bill No. 1424, on same subject, was substituted for House Bill No. 1483.

Mr. Burnett moved that Senate Bill No. 1424 be passed on third and final consideration which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

Representative present and not voting was: Webb--1.

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A motion to reconsider was tabled.

House Bill No. 1365--To set election date, certain municipalities.

Mr. Collier moved that House Bill No. 1365 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

A motion to reconsider was tabled.

House Bill No. 78--To enact "Respiratory Care Practitioner Act".

On motion, House Bill No. 78 was made to conform with Senate Bill No. 374.

On motion, Senate Bill No. 374, on same subject, was substituted for House Bill No. 78.

Ms. Duer moved that Senate Bill No. 374 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 374 by deleting all of the language of the bill following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 63, Chapter 6, is amended by adding the following language as a new part, to be designated as "Part 4":

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63-6-401. This act shall be known and may be cited as the "Respiratory Care Practitioner Act".

63-6-402. As used in this part, unless the context otherwise requires:

(1) "Board" means the state board of medical examiners.

(2) "Council" means the state board of medical examiners' council on respiratory care.

(3) "Division" means the department of health and environment, division of health related boards as defined by Tennessee Code Annotated, Section 68-1-101.

(4) "Practice of respiratory care" is defined to include, under the supervision, control, and responsibility of a licensed physician: the therapeutic and diagnostic use of medical gases, administering apparatus, humidification and aerosols, the administration of prescribed drugs and medications to the cardio-respiratory system. The maintenance and management of life support systems, the use of chest physiotherapy, postural drainage, cardiopulmonary resuscitation, and the insertion and maintenance of artificial airways.

The term also shall include specific testing techniques employed in respiratory care to assist in diagnosis, monitoring, treatment, and research. Such techniques shall be understood to include measurement of ventilatory volumes, pressures and flows, specimen collection and analysis of blood and other materials, pulmonary function testing, and related physiological monitoring that respiratory care practitioners have been properly trained in and may be performed in settings including, but not limited to, hospitals, extended care, home care, and outpatient facilities.

(5) "Respiratory care therapist" or "therapist" means any person certified as such pursuant to this part who is employed to engage in the practice of respiratory care under the order of a licensed physician, and who functions in situations of unsupervised patient contact requiring individual judgment.

(6) "Respiratory care technician" or "technician" means any person certified as such pursuant to this part who is employed to engage in the practice of respiratory care under the order of a licensed physician.

(7) "Respiratory care assistant" or "assistant" means any person certified as such pursuant to this part, who has:

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(A) received on-the-job training equivalent to at least one thousand (1,000) hours of clinical training in respiratory care, during an eighteen (18) consecutive month period, provided such training shall have been received under supervision of either a (i) respiratory care therapist, or (ii) respiratory care technician, or (iii) licensed physician experienced in respiratory care and (B) passed a council approved exam for respiratory care assistants.

63-6-403. (a) There is created within the state board of medical examiners' the council of respiratory care. The council shall consist of five (5) members appointed by the governor, each of whom shall be resident of this state. One (1) member shall be a respiratory care therapist, one (1) member shall be a respiratory care technician, two (2) members shall be hospital administrators, and one (1) member shall be a physician specializing in pulmonology.

(b) Initial appointments shall be made as follows: One (1) respiratory care therapist shall be appointed to a term of three (3) years, one (1) physician shall be appointed to a term of three (3) years, two (2) hospital administrators shall each be appointed to a term of two (2) years, and a respiratory care technician shall be appointed to a term of one (1) year. Any vacant term shall be filled by the governor for the balance of the unexpired term. No member shall serve more than two (2) consecutive three (3) year terms and each member shall serve on the council until a successor is appointed. The Tennessee Society of the American Association for Respiratory Therapy may supply a list to the governor of at least three (3) nominees for each appointment or vacancy to be filled pursuant to this section. The Tennessee Hospital Association may also supply a list to the governor of at least three (3) nominees for each appointment or vacancy. The Tennessee Medical Association shall supply a list of three (3) names for each appointment or vacancy. The governor may make the appointment from such lists.

(c) While engaged in the business of the council, members thereof shall receive a per diem of fifty dollars (\$50.00) and shall also receive actual expenses to be paid in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general.

(d) The department of health and environment, division of health related boards, shall provide such administrative, investigatory, and clerical services for the council and the board as shall be necessary to fully implement and enforce the provisions of this act.

(e) The council shall organize annually and shall select a chairman and a secretary. A quorum of the council shall consist of three (3) members. Meetings of the council shall be held as

frequently as its duties may require. Meetings of the council may be called by the chairman of the state board of medical examiners or by the chairman of the council, provided written notification of such called meeting is sent to each council member at least fourteen (14) calendar days in advance of the meetings.

63-6-404. In addition to the powers granted elsewhere in this chapter, the state board of medical examiners shall have the following duties:

(1) (A) To promulgate, in accordance with the provisions of the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, all rules that are reasonably necessary for the performance of the various duties imposed upon the board or the council by the provisions of this part. Provided, however, except as otherwise specifically provided by this subsection, all rules relating exclusively to respiratory care therapists, respiratory care technicians, or respiratory care assistants, shall be initiated and adopted by a majority of the members of the council on respiratory care and then shall be approved by a majority of the members of the board or, alternatively, shall be initiated and adopted by a majority of the members of the board and shall then be approved by a majority of the members of the council. Subject to the limitations contained in this section, all rulemaking authority delegated by this shall be vested in the board. The council shall conduct at least one (1) public hearing each year, and shall undertake such other activities as shall be reasonably necessary, to solicit comments from certificate holders, registrants, and the public concerning policies of the board and council relating to respiratory care as well as any problems existing within the practice of respiratory care which may affect the public.

(B) Within the maximum limitations established elsewhere in this part, fees relating to the practice of respiratory care shall be set by the board in an amount sufficient to pay all of the expenses of the council as well as all of the expenses of the board that are directly attributable to the performance of its duties pursuant to the provisions of this part.

(2) To issue, under the board's name, all certificates approved by the council and the board and to maintain a registry of all certificate holders. It shall be the duty of the council to review and approve the qualifications of applicants for certification or renewal as respiratory care therapists, respiratory care technicians, or respiratory care assistants.

(3) To collect or receive all fees, fines, and moneys owed pursuant to the provisions of this part and to pay the same into the general fund of the state.

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63-6-405. (a) In order to safeguard life, health, and property and to promote public welfare, by requiring that only properly qualified persons shall practice respiratory care in this state, any person practicing respiratory care shall be certified as hereinafter provided, and it shall be unlawful for any person to practice or offer to practice respiratory care unless such person has been duly certified under the provisions of this part, except as herein provided.

(b) Upon application by an individual seeking certification as a respiratory care therapists, respiratory care technician or a respiratory care assistant by this act, and upon payment of a biennial fee in an amount not to exceed seventy-five dollars (\$75.00), the council may approve and the board may grant such individual a biennial certificate, which shall expire on June 30 of the next odd numbered year, as a respiratory care therapist, respiratory care technician, or respiratory care assistant, as the case may be.

63-6-406. (a) The knowledge and skills for performing the functions of a respiratory care therapist shall be acquired by academic and clinical preparation in an American Medical Association approved respiratory care program. Respiratory care therapists may assume primary clinical responsibility for all respiratory care modalities. Such modalities shall include, but are not limited to, accepting telephone and verbal orders and responsibilities involving the supervision of respiratory care technicians and respiratory care assistants.

(b) Under the supervision of a physician, a therapist may be required to exercise considerable independent clinical judgement in the respiratory care of patients. Further, the therapist must be capable of serving as a technical resource person to the physician regarding current practices in respiratory care and to the hospital staff regarding effective and safe methods for administering respiratory care.

63-6-407. (a) The knowledge and skills for performing the functions of a respiratory care technician shall be acquired by academic and clinical preparation in an American Medical Association approved respiratory care program. Under the supervision of a physician, technicians may assume clinical responsibility for specified respiratory care modalities involving the application of well-defined therapeutic techniques.

(b) The technician's role shall not require the exercising of independent, clinical judgment; however, the technician may be expected to adjust or modify therapeutic techniques within well-defined procedures based on a limited range of patient responses. Therefore, the effective use of the technician, especially in the critical care setting, shall require the supervision of a physician experienced in respiratory care. The technician may accept telephone or verbal orders and responsibilities involving

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the supervision of respiratory care therapists and respiratory care assistants.

63-6-408. (a) The knowledge and skills for performing the functions of a respiratory care assistant shall be acquired through compliance with the requirements of Section 63-6-402 (7).

(b) The assistant's role shall not include the exercising of independent, clinical judgement. The assistant may be expected to adjust or modify therapeutic techniques within well-defined procedures based on a limited range of patient responses. Therefore, the use of the assistant requires the supervision of a respiratory care therapist, respiratory care technician, or physician experienced in respiratory care. Provided, however, no assistant shall be permitted to perform the functions for which he is certified on a critical care patient being maintained on mechanical ventilation. (Unless the assistant possesses a certificate that indicates he has passed the critical care section of the council approved examination for respiratory care assistants.)

63-6-409. (a) No renewal of a certificate shall be approved by the council until the certificate holder submits proof satisfactory to the council that, during the two (2) years preceding the application for renewal, the applicant has participated in no fewer than twelve (12) hours of continuing professional respiratory care education in course work which meets the guidelines established for such course work by the rules of the state board of medical examiners.

(b) The council shall approve only those continuing education courses which conform with the guidelines established by the rules of the board. Providers of such courses shall also be approved by the council in accordance with guidelines established by the rules of the board. Course offerings approved for in-service training by the joint commission on accreditation of hospitals and in-service training programs sponsored or conducted by the Tennessee Society of Respiratory Therapy shall be deemed to be approved courses.

(c) The rules of the board may establish exceptions from the requirements of this section in emergency of hardship cases. Such cases shall be individually reviewed and approved by the council.

63-6-410. (a) Nothing in this act shall prohibit any person licensed or certified to practice any of the other health-related professions in this state under any other law from engaging in the practice for which such person is licensed or certified; nor shall it prohibit persons employed as subsidiary workers who do not represent themselves to be respiratory care therapists, technicians, or assistants from assisting in the respiratory care of patients under the direction and supervision

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of a licensed physician. Nothing in this act shall be construed to apply to a registered nurse. As used in this section, "subsidiary worker" means an individual who occasionally administers oxygen or other therapeutic gas under the orders of a licensed physician, osteopath, or doctor of dentistry, and who is not involved in any other aspect of the direct delivery of respiratory care procedures or the administration of diagnostic tests of the cardio-respiratory function.

(b) Nothing in this act shall be construed as prohibiting a hospital from training an individual to meet the on-the-job equivalency requirement for respiratory care assistants. Every hospital desiring to conduct a course of on-the-job training for respiratory care assistants shall file with the board a statement of its intent to conduct such training which statement shall recite in substance: (1) that the training provided is intended to prepare the trainee to engage in the scope of practice as a respiratory care assistant as set out in Tennessee Code Annotated 63-6-408 (b); (2) that the course of training will provide the trainee with at least one thousand (1,000) hours of clinical training in respiratory care within a period of no more than eighteen (18) consecutive months as required in Tennessee Code Annotated 63-6-402 (7) (A); and (3) the title of the individual at the facility who shall be directly responsible for supervising such training program. While functioning in the hospital as a respiratory care assistant trainee, the individual shall display at all times his status as a "trainee" and shall in no other way represent himself as a respiratory care practitioner. Upon satisfaction of the on-the-job training requirements of Tennessee Code Annotated 63-6-402 (7) (A) of this act, the trainee may apply for respiratory care assistant status. Upon passage of the council approved exam, as provided by Tennessee Code Annotated 63-6-402 (7) (B), he will be awarded a respiratory care assistant certificate.

(c) Nothing in this act shall prohibit self-care by the patient or the gratuitous care by a friend or member of the family who does not represent or hold himself out to be a respiratory care practitioner certified under the provisions of this act.

(d) Nothing in this act shall prohibit an individual who holds a national board of respiratory care credential entitled "Certified Pulmonary Function Technologist (CPFT)" from engaging in the performance of pulmonary function diagnostic testing.

63-6-411. (a) No person shall by verbal claim, advertisement, letterhead, card, or in any other way, represent himself to be a respiratory care therapist, respiratory care technician, or respiratory care assistant unless such person possesses a valid certificate issued pursuant to this part.

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(b) It shall be unlawful for any person to practice or offer to practice respiratory care unless such person has been duly certified under the provisions of this part, except as provided in Section 63-6-410.

(c) Each violation of subsection (a) of this section shall constitute a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00).

(d) Violation of subsection (b) of this section shall constitute a misdemeanor.

63-6-412. (a) Complaints alleging violations of the provisions of this act shall be filed with the board; shall be referred by the board to the division for investigation; and shall be resolved by the council in accordance with the provisions of this act and Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5. A file shall be maintained on each such complaint filed with the board and shall reflect all activities taken by the board, division, and council in response to such complaint.

(b) The council, subject to the approval of the board, may impose one (1) or more of the following penalties for violations of the provisions of this act:

(1) Denial of an application for certification or registration.

(2) Revocation or suspension of certification or registration.

(3) Imposition of an administrative fine not to exceed five hundred dollars (\$500.00) for each count or separate offense.

(4) Placemant of the respiratory care technician, respiratory care assistant, or respiratory care therapist to submit to treatment, to attend continuing education courses, or to work under the supervision of another respiratory care technician or respiratory care therapist.

(5) Issuance of a reprimand.

(c) The council shall be empowered to refuse to reinstate certificaion or cause a certificate to be issued to a person it has deemed unqualified, until such time as it finds that such person has complied with all the terms and conditions set forth in the final order rendered pursuant to subsection (a) and that the respiratory care assistant, respiratory care technician, or respiratory care therapist is capable of safely engaging in the delivery of respiratory care services.

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63-6-413. (a) Notwithstanding any provision of this act to the contrary, any person practicing respiratory care who files an application or certification between July 1, 1986 and June 30, 1987:

(1) Shall be certified as a respiratory care therapist if he possesses a valid national board for respiratory care credential as a respiratory therapist;

(2) Shall be certified as a respiratory care technician if he possesses a valid national board for respiratory care credential as a respiratory care technician;

(3) Shall be certified as a respiratory care therapist if he is a graduate of an American Medical Association approved program of academic and clinical training for respiratory care therapists;

(4) Shall be certified as a respiratory care technician if he is a graduate of an American Medical Association approved program of academic and clinical training for respiratory care technicians;

(5) Shall be certified as a respiratory care assistant upon demonstrating to the council that he has previously undertaken training at least equivalent to that described in Section 1, 63-6-402 (7) (A); or

(6) Shall be certified as respiratory care technician upon demonstration to the council that he has acquired on-the-job training and/or experience in the field of respiratory care equivalent to at least two thousand (2,000) hours.

(b) (1) Each individual certified pursuant to the provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) of this section shall be eligible for certificate renewal upon expiration of his initial certificate term and shall continue to be eligible for certificate renewal upon the expiration of subsequent certificate terms provided he meets the then current requirements for renewal for the class of certificate held at the time renewal is sought.

(2) Each individual certified pursuant to the provisions of paragraph (6) of subsection (a) of this section: (A) shall be eligible for renewal certification as a respiratory care technician at the expiration of the initial two (2) year certification period upon demonstration to the council that he has completed or is then enrolled in a program of academic and clinical preparation in an American Medical Association approved respiratory care program; and (B) shall be eligible for renewal certification as a respiratory care technician at the expiration

of the initial two (2) year renewal certification period, and at the expiration of all subsequent two (2) year renewal certification periods, only upon demonstration to the council that he complies with the requirements of Section 63-6-407 (a). In the event an applicant for renewal certification as a respiratory care technician is unable to comply with the renewal certification requirements of the immediately preceding sentence, subdivision (A) or subdivision (B) thereof as applicable, such individual shall be eligible for certification as a respiratory care assistant upon demonstration to the council that he complies with the provisions of Section 63-6-408 (a).

SECTION 2. Tennessee Code Annotated, Section 4-29-208, is amended by adding the following language as a new, appropriately designated item:

() Board of medical examiners' council on respiratory care, created by Section 1, 63-6-403 of this act.

Section 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 4. For the purpose of making appointments to the council created by Section 63-6-403 and for the purpose of promulgating rules and regulations this act shall take effect on becoming law, the public welfare requiring it, but for all other purposes this act shall take effect July 1, 1986.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 374, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	4

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West,

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Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--91.

Representatives voting no were: Cobb, Harrill, Montgomery and Yelton--4.

A motion to reconsider was tabled.

Mr. Davidson moved that House Bill No. 826 be placed on the Calendar for Thursday, March 13, 1986, which motion prevailed.

House Bill No. 1569--To make certain provisions, alcoholic beverages.

On motion, House Bill No. 1569 was made to conform with Senate Bill No. 1162.

On motion, Senate Bill No. 1162, on same subject, was substituted for House Bill No. 1569.

Mr. Tanner moved that Senate Bill No. 1162 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Yelton--93.

Representative voting no was: Copeland--1.

Representatives present and not voting were: Nance and Mr. Speaker McWherter--2.

A motion to reconsider was tabled.

Mr. Whitson moved that House Bill No. 909 be placed on the Calendar for Thursday, March 13, 1986, which motion prevailed.

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CONSENT CALENDAR

OBJECTION

An objection was filed to the following bill on the Consent Calendar:

Messrs. Tanner, Tankersley and Davis (Gibson) objected to House Bill No. 1995.

Under the rules, House Bill No. 1995 was placed at the foot of the Calendar for Monday, March 10, 1986.

CONSENT CALENDAR

House Bill No. 1398--To provide for display of wheel tax stickers.

On motion, House Bill No. 1398 was made to conform with Senate Bill No. 1383.

On motion, Senate Bill No. 1383, on same subject, was substituted for House Bill No. 1398.

House Bill No. 1570--To regulate records kept by beer wholesalers.

On motion, House Bill No. 1570 was made to conform with Senate Bill No. 1163.

On motion, Senate Bill No. 1163, on same subject, was substituted for House Bill No. 1570.

House Bill 1659--To make certain provisions, absentee ballots.

House Bill 1775--To amend Section 8-50-103, Code.

House Bill No. 1140--To set procedure for removal of vegetation, Davidson County.

On motion, House Bill No. 1140 was made to conform with Senate Bill No. 1022.

On motion, Senate Bill No. 1022, on same subject, was substituted for House Bill No. 1140.

House Bill No. 1324--To repeal certain statutes, Civil and Appellate Procedure.

On motion, House Bill No. 1324 was made to conform with Senate Bill No. 1487.

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On motion, Senate Bill No. 1487, on same subject, was substituted for House Bill No. 1324.

House Bill No. 1621--To make certain provisions, credit unions.

House Bill No. 1988--To provide for elections, Dickson.

House Bill 1996--To increase tax, South Carroll Special School District.

House Resolution No. 100--Relative to teaching cardiopulmonary resuscitation, high schools.

House Joint Resolution No. 555--Relative to memory Paul King Arp.

House Joint Resolution No. 556--Relative to paying tribute, Landis Kyle McMackins.

House Joint Resolution No. 558--Relative to commending Ouida Joann Karnes.

House Joint Resolution 559--Relative to expressing sorrow, death of James E. "Bookie" Turner.

House Joint Resolution No. 563--Relative to expressing sorrow, death of Marie Fisher Comer.

House Joint Resolution No. 564--Relative to congratulating Blaine McMahan.

Senate Joint Resolution No. 263--Relative to congratulating Dave Hall.

Senate Joint Resolution No. 264--Relative to honoring Coach Bill Horton and football team.

Senate Joint Resolution No. 276--Relative to congratulating Turney Ford.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Harrill,

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Hassell, Hawkins, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Mr. Tankersley asked to be recorded as changing his vote from "aye" to "no" on House Bill No. 1632.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1359--Brewer

House Bill No. 1545--Rhinehart

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 934, 1028, 1214, 1224, 1242, 1310, 1312 and 1431; and House Joint Resolutions Nos. 514, 515, 518, 520, 521, 523, 526 and 557, with his approval,

WILLIAM H. INMAN,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

487--Relative to confirming appointment, State Certification Commission;

537--Relative to honoring Edward L. Holton;

540--Relative to honoring Litton T. Cochran;

541--Relative to commending Billy Pegg, Jr.;

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543--Relative to honoring Smith County High School football team;

544--Relative to expressing sorrow, death of Charlie Robinson;

548--Relative to protection from dangers associated with Tylenol capsules; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RECALL MOTION

On motion of Mr. Starnes, Senate Bill No. 1178 was recalled from the Senate for further consideration.

BILLS WITHDRAWN

On motion of Mr. Stallings, House Bill No. 1407 was recalled from the Committee on Agriculture.

On motion of Mr. Stallings, House Bill No. 1407 was withdrawn from the House.

On motion of Mr. Stallings, House Bill No. 416 was recalled from the Committee on Commerce.

On motion of Mr. Stallings, House Bill No. 416 was withdrawn from the House.

On motion of Mr. Tanner, House Bill No. 1572 was recalled from the Committee on Commerce.

On motion of Mr. Tanner, House Bill No. 1572 was withdrawn from the House.

On motion of Mr. Phillips, House Bill No. 1503 was recalled from the Committee on Conservation and Environment.

On motion of Mr. Phillips, House Bill No. 1503 was withdrawn from the House.

On motion of Mr. Starnes, House Bill No. 1552 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Starnes, House Bill No. 1552 was withdrawn from the House.

On motion of Mr. Davis (Knox), House Bill No. 364 was recalled from the Committee on Labor and Consumer Affairs.

On motion of Mr. Davis (Knox), House Bill No. 364 was withdrawn from the House.

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On motion of Mr. Davis (Knox), House Bill No. 365 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Davis (Knox), House Bill No. 365 was withdrawn from the House.

On motion of Mr. Wood, House Bill No. 1425 was recalled from the Committee on State and Local Government.

On motion of Mr. Wood, House Bill No. 1425 was withdrawn from the House.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 570 out of order, which motion prevailed.

House Joint Resolution No. 570--Relative to honoring American Legion, 67th anniversary--By Hillis, Gill, Yelton, Moore, Hurley, Miller, Stafford and Ussery.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hillis, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 94

Representatives present were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 565--Relative to honoring Allen Watts--By Bragg and Hobbs.

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Under the rules, House Joint Resolution No. 565 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 566--Relative to honoring Turney Ford--By Buck.

Under the rules, House Joint Resolution No. 566 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 567--Relative to naming new Thompson Lane underpass--By West, Love, Robinson (Davidson), Murphy, Covington, Pruitt, Garrett, Cobb and Clark (Davidson).

The Speaker referred House Joint Resolution No. 567 to the Committee on Transportation.

House Joint Resolution No. 568--Relative to honoring Rose Park Middle School--By Pruitt, Turner (Shelby), Murphy, Garrett, Ellis, Love, West, Chiles, Dixon, King, Cobb, Duer, Jones, DeBerry, Covington and Brewer.

Under the rules, House Joint Resolution No. 568 was referred to the Committee on Calendar and Rules.

House Resolution No. 114--Relative to confirming appointment, Richard W. Rucker--By Bragg.

The Speaker referred House Resolution No. 114 to the Committee on Judiciary.

House Resolution No. 115--Relative to honoring James H. Jones, Jr.--By Napier.

Under the rules, House Resolution No. 115 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2006--To create municipal court, Spring City--By Duer.

Passed first consideration.

House Bill No. 2007--To specify qualifications, certain school food service supervisor--By Ridgeway.

Passed first consideration.

House Bill No. 2008--To replace Charter, Mountain City--By Hawkins.

Passed first consideration.

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House Bill No. 2009--To regulate registration, conveyances of realty, Hardin County--By Wolfe.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1997--To set terms, municipal officers, Mitchellville.

Passed second consideration and held without reference.

House Bill No. 1998--To provide for court officers, Williamson County.

Passed second consideration and held without reference.

House Bill No. 1999--To provide for director of grants and planning, Columbia.

Passed second consideration and held without reference.

House Bill No. 2000--To authorize severance tax, Unicoi County.

Passed second consideration and held without reference.

House Bill No. 2001--To make certain provisions, Emergency Communications Districts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2002--To regulate levy of local sales tax.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2003--To amend Charter, Bristol.

Passed second consideration and held without reference.

House Bill No. 2004--To set procedures, disclosure of certain investigative records.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2005--To amend Section 13-4-301, Code.

Passed second consideration and referred to Committee on State and Local Government.

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LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1998 and 2000.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 10, 1986: House Bills Nos. 1273, 1896, 1395, 1447, 1417, 1998, 2000; House Joint Resolutions Nos. 565, 566, 568; House Resolution No. 115; and House Bill No. 1819.

GILL, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 10, 1986: House Bills Nos. 1504, 1974, 1822, 1662, 1571, 1527, 1731, 1391, 1392, 1190, 1193, 1299, 1354, 1816, 1192, 1444, 1868, 1628 and 1403.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1359, 1365, 1528, 1544, 1595, 1621, 1659, 1775, 1800, 1988 and 1996; and House Joint Resolutions Nos. 555, 556, 558, 559, 563, 564 and 570; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1349--To regulate assessments and collection of taxes;

1358--To revise retirement provisions for judges;

1915--To provide lump sum payments, sales and use tax;

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1981--To amend Charter, Elkton;

1984--To provide for group health insurance, Alamo; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1216--To make provisions, presidential preference primary;

1231--To exempt certain corporations, permit fees, public swimming pools; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1178, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1258--To fix penalties, certain trucks.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF DELAYED BILLS COMMITTEE

The undersigned members of the Delayed Bills Committee has approved the following bill: House Bill No. 2004, 2005 and 2007.

Ned R. McWherter

Jimmy Naifeh

James M. Henry

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

265--Relative to sympathy, Dr. Amos Christie;

266--Relative to congratulating Thomas G. Bartlett;

267--Relative to congratulating Reba Brown;

268--Relative to congratulating James Haslam;

269--Relative to honoring Virginia B. Wright; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

219--To regulate school personnel;

899--To regulate kindergarten education;

1199--To regulate certain notices, child support;

1207--To regulate proceedings, assessment of real property;

1261--To set certain provisions, county correctional facilities;

1262--To set certain provision, delinquent property taxes;

1394--To provide Academic Merit Scholarship Program;

1408--To provide medical needy coverage, certain cases;

1413--To regulate Elk River Development Agency;

1536--To increase inpatient hospital days, Medicaid;

1573--To regulate longevity pay, certain employees;

1654--To regulate bingo operations;

1732--To regulate powers, utility districts;

1772--To create office, County Law Director, Anderson County;

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1809--To regulate disposition, certain fines and costs, municipal courts; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1227, 1252, 1262, 1319, 1360, 1402, 1866, 1976 and 1977; and House Joint Resolutions Nos. 522, 525, 528, 529, 530, 531 and 534; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 5:00 p.m., Monday, March 10, 1986.